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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/434,121	11/05/1999	HIDEMI SASAKI	Q56632	3518

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SUGHRUE MION ZINN MACPEAK & SEAS PLLC
2100 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 200373202

EXAMINER

WALLERSON, MARK E

ART UNIT PAPER NUMBER

2626

DATE MAILED: 06/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/434,121

Applicant(s)

SASAKI ET AL.

Examiner

Mark E. Wallerson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 14 April 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 4-9 and 13-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 4-9 and 13-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Part III DETAILED ACTION

Notice to Applicant(s)

1. This action is responsive to the following communications: amendment filed on 4/14/04.
2. This application has been reconsidered. Claims 4-9 and 13-17 are pending.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 5, 9, 13, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moriguchi et al (Moriguchi) (U.S. 5,572,291) in view of Numata (5,870,114).

With respect to claims 4 and 13, Moriguchi discloses a printer (figure 20) in which a plurality of types of recording material are usable (column 14, lines 60-63), comprising an input section operable to automatically input type information representing one of the types or recording material (column 23, lines 11-42), wherein each of the types of recording material has at least one printing region having a shape different from the shape of other types of recording material (column 23, lines 25-42 and column 24, line 57 to column 25, line 15), the type information including a size (column 23, lines 11-42) and type of recording material (column 23, line 42 and column 24, line 57 to column 25, line 43); a printer body (figures 20 and 21); a loading slot formed in the printer body (figures 20 and 21 and 305, figure 23); a sheet supply tray, set at the loading slot removably, for containing the recording material, the information

recording medium being secured to the sheet supply tray (60, figure 20, 207, figure 21 and column 16, lines 41-58), the input section including a first contact pattern for outputting the type information (132 and 133, figure 9), and a second contact pattern for contacting the first contact pattern in response to setting of the sheet supply tray at the loading slot (121 and 122, figure 9 and column 22, line 65 to column 23, line 42).

Moriguchi differs from claims 4 and 13 in that he does not clearly disclose setting/designating print mode(s) in accordance with the type information and printing (or laying out) an image to the recording material in accordance with the print mode.

Numata discloses an image recording apparatus wherein a copying mode is set in correspondence with the determined sheet size (figure 35 and column 21, lines 4-17). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Moriguchi to set/designate the print mode(s) in accordance with the type information and printing (or laying out) an image to the recording material in accordance with the print mode. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Moriguchi by the teaching of Numata in order to more easily control the recording process as disclosed by Numata in column 1, lines 11-18).

With regard to claim 5, Moriguchi discloses the first contact is disposed at the front end of the sheet container (figure 9), and the second contact pattern is a pin shaped member disposed in the loading slot and directed toward the container (column 22, line 26 to column 23, line 42).

With respect to claims 9 and 17, Moriguchi discloses the types of recording material include a standard type (column 23, lines 25-42 and a sticker type (label) (column 24, line 57 to column 25, line 6).

5. Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moriguchi in view of Numata as applied to claims 4 and 13 above, and further in view of Matsumura (U.S. 5,110,106).

With respect to claims 8 and 16, Moriguchi as modified differs from claims 8 and 16 in that he does not clearly disclose the printer is connectable to a display device. Matsumura discloses the printer connectable to a display device (5). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Moriguchi as modified to include a display. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Moriguchi as modified by the teaching of Matsumura in order to allow the user to easily view the identified sheet information.

6. Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moriguchi in view of Numata as applied to claims 4 and 13 above, and further in view of Kumon.

With respect to claims 7 and 15, Moriguchi as modified differs from claims 7 and 15 in that he does not clearly disclose in the case of lack or reading of the type information from the input section, the controller generates an alarm signal. Kumon discloses generating an alarm signal when lack of reading of the information type occurs or inhibits operation of printing (column 12, lines 45-56). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Moriguchi as modified to generate an alarm signal when lack of reading of the information type occurs or inhibit operation of printing. It

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would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Moriguchi as modified by the teaching of Kumon in order to alert an operator as to problems in the printer.

7. Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moriguchi in view of Numata as applied to claims 4 and 13 above, and further in view of Lindstrom.

Moriguchi as modified differs from claims 6 and 14 in that he does not clearly disclose the information recording medium is a ROM. Lindstrom discloses a printer system for printing on different types of recording medium comprising a ROM for storing type data (column 3, lines 54-59). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Moriguchi as modified to make the information recording material a ROM. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Moriguchi as modified by the teaching of Lindstrom in order to improve processing.

Response to Arguments

8. Applicant's arguments with respect to claims 4 and 13 have been considered but are moot in view of the new ground(s) of rejection.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark E. Wallerson whose telephone number is (703) 305-8581. The examiner can normally be reached on Monday-Friday - 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on (703) 305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mark E. Wallerson
Primary Examiner
Art Unit 2626

MARK WALLERSON
PRIMARY EXAMINER

